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Today's Trucking

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Law giving feds bridge powers passes; Other bylaw halts Ambassador work

OTTAWA -- The Canadian government has passed a law that gives it more power over private bridges and tunnels, including the busy Ambassador Bridge in Windsor, Ont. and Detroit.

Bill C-3 was finalized in the House of Commons yesterday with all opposition parties agreeing.

As TodaysTrucking.com has been reporting since the legislation was first proposed, the law gives Transport Canada control over all 24 border crossings -- including private structures -- and any future crossings between Canada and the U.S.

Ottawa now has the authority to approve or veto the construction or alteration of international bridges and tunnels, and to "develop regulations pertaining to the governance, maintenance, safety, security and operation." It also permits the feds to rule on any sales or transfers affecting the ownership of international bridges and gives the government power to take immediate control of a structure if a serious threat to the security or safety of the bridge was imminent.

That means the years of complete autonomy Ambassador Bridge owner and Michigan billionaire Matty Moroun had on the border crossing may come to an end.

That's not to say Moroun won't put up a fight. If past judgments against his bridge business in both Canada and the U.S. are any indication, Moroun could very well still challenge the Canadian government in court.

Bridge executives voiced their opposition to the bill last summer. Testifying before the House of Commons Committee Hearings, Detroit International Bridge Co. President Dan Stamper -- flanked by Moroun's son Matthew -- called Bill C-3 "a solution in search of a problem."

"We are troubled and question the true intent of Bill C-3," Stamper said. "There is no problem with the status quo that would warrant this proposed new level of government involvement."

As a final effort to get the government to change its mind, or perhaps as a reminder of the bridge company's past legal victories on such matters, Stamper ended his address by saying: "We are not looking for another drawn out and disruptive legal mêlée. Lawsuits are not productive and are expensive while taking up time and effort that could be used more effectively in accomplishing something positive."

Windsor West NDP MP Brian Masse told the Windsor Star he's glad to see the law finally pass. Several NDP amendments to Bill C-3 were not approved, but Masse said the party would continue to pursue them in other legislation. Masse has said he expects Transport Canada to begin enforcing some aspects of the law within the next few weeks.

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Meanwhile, Windsor city has shut down the Ambassador Bridge's plans for a \$20-million plaza expansion by passing a bylaw that forces all construction activity to stop in the city's west end until a community improvement plan is developed.

According to the Windsor Star, new controls -- an interim control bylaw and a demolition control bylaw -- will be in effect for one year and may be extended to two years while a community improvement plan is completed.

The bylaws will not permit the construction of new buildings or structures or the demolition of old ones in the meantime.

Not surprisingly, the rule was vehemently opposed by Ambassador officials. "It's a disguised method of being able to thwart the efforts of the bridge," Leon Paroian, the company's lawyer, told the Star.

The company says it has spent \$500 million so far on property acquisition, demolition, engineering costs and environmental testing for both the plaza expansion and a second span.

-- with files from the Windsor Star

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